IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

NOTICE OF MOTION NO.3013 OF 2004
IN
APPEAL NO. 542 OF 2000
IN
SUMMONS FOR JUDGMENT NO.3813 OF 1999
IN
SUIT NO.469 OF 1978

Shri Sankalp Co-operative Housing
Society Ltd. & ors. .. Appellants

v/s.

Time Field Corporation .. Respondent

Mr.J.P.Cama, senior counsel with Mr.K.P.Anilkumar
i/by Mr.R.D'Souza for appellants.

Dr.Virendra Tulzapurkar, senior counsel i/by
Mr.A.R.Vaidya for respondent.

CORAM : R.M.LODHA AND
J.P.DEVADHAR, JJ.

DATED : 1st November, 2004

P.C.

Heard.

2. Until disposal of appeal, the execution of the consent decree passed in Short Cause Suit No. 469 of 1978 dated 19.4.1993 and the amendments thereto made by orders dated 28.9.1993, 20.2.1996, 19.12.196 and 17.2.1999 shall remain stayed subject to the following conditions:-

(i) The appellant No.1 (original defendant No.1) deposits a sum of Rs.10,00,000/- with the Prothonotary & Senior Master of this court within four weeks from today.

(ii) The appellant No.1 (original defendant No.1) files an undertaking before this court within four weeks from today that they will not transfer, alienate, dispose of or create any third party right or interest in the subject property.

(iii) The Prothonotary & Senior Master of this court shall invest the amount of Rs.10,00,000/- to be deposited by the appellant in the fixed deposit initially for a period of one year, renewable thereafter for that period each time until disposal of appeal.

(R.M. LODHA, J.)

(J.P. DEVADHAR, J.)